

IN THE IOWA DISTRICT COURT FOR _____ COUNTY

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Now on this _____ day of _____, _____, this matter comes before the Court upon the request of _____ for the establishment of paternity ☐ and the creation of a support order, according to Iowa Code chapter 252F. The State of Iowa is represented by _____. The Respondent, _____, appeared _____. The Court, upon the record,

- ☐ including the consent of _____, who has agreed to the terms of this order, as evidenced by the signature(s) below, after having consulted with an attorney or having been given the opportunity,
- ☐ the matter having proceeded to hearing
- ☐ (and) upon the failure of _____ to appear after being given notice of this hearing,

and being fully advised in the premises, **FINDS:**

The Court has jurisdiction over the subject matter, and Iowa is the proper state in which to enter an order for paternity ☐ and support, according to 28 USC 1738B, and chapter 252E, and if applicable, 252K.

2. The Court has personal jurisdiction over the Respondent.¹
3. Entry of this support order in Iowa does not violate 28 USC section 1738B or Iowa Code chapter 252K.²
4. _____ is the _____ and is the caretaker of the minor child(ren).

THEREFORE, the Court, according to Iowa Code chapter 252F, CONCLUDES AND ORDERS:

1. The Respondent, _____, is legally established as the father of the child(ren) named below ☐ and owes a duty of support to the child(ren). The children(s) name(s) and date(s) of birth are as follows:

<i>Child's Name</i>	<i>Date of Birth</i>

☐ The Clerk of Court shall prepare and forward a paternity abstract to the Iowa Department of Public Health, Bureau of Vital Records. The Registrar of Vital Records shall amend the birth certificate by adding _____ as the father of the above child(ren).

☐ The Clerk of Court shall not prepare and forward a paternity abstract to the Iowa Department of Public Health, Bureau of Vital Records because each child listed above was not born in the State of Iowa. The caretaker may inform the Bureau of Vital Records in the state where each child was born.

2. ☐ Current support is reserved because the:

☐ Respondent now lives in the same household as the children.

☐ Caretaker does not receive FIP or Title XIX medical benefits and has asked that a support obligation not be established at this time.

☐ Other: _____

☐ Respondent shall pay current support of \$_____ per _____ starting on the _____ day of _____, _____ and continuing on the _____ of each _____. The current child support amount is in accordance with the child support guidelines.

☐ Respondent shall owe current support of \$_____ per month. Since the child(ren) receive Social Security Disability (SSD) benefits because of the Respondent's disability, the benefit amount of \$_____ per month was added to the Respondent's net income. Also the current child support amount of \$_____ per month is satisfied in the amount of \$_____ per month and the Respondent shall pay the balance of \$_____ per month starting on the _____ day of _____, _____, and continuing on the _____ day of each month.

☐ The ongoing obligation for the child(ren) named shall be adjusted without further order, to correspond to the number of children entitled to current support as this number changes. This obligation amount is:

Number of Children Entitled to Support	Amount	<input type="checkbox"/> SSD Satisfaction Amount	<input type="checkbox"/> Amount Due After SSD Satisfaction
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

☐ Even though the SSD amounts may change, the amount due after SSD satisfaction, as stated in this order, remains in effect until this order is modified.

Support for each child continues until the child reaches the age of eighteen (18) years or becomes emancipated. If the child is engaged full-time in completing high school graduation or equivalency requirements, and is reasonably expected to complete these requirements before age nineteen (19), support continues until high school graduation or equivalency requirements are met.

3. ☐ Accrued support is reserved because the:

☐ Respondent now lives in the same household as the children.

☐ Caretaker does not receive FIP or Title XIX medical benefits and has asked that a support obligation not be established at this time.

☐ _____

☐ Judgment is entered against the Respondent for accrued support in the amount of \$_____ which shall be paid in installments of \$_____ per _____ beginning on the _____ day of _____, _____, and continuing on the _____ day of each _____ until the entire sum is paid. The accrued support:

☐ deviates from the child support guidelines for the following reason(s): _____

☐ is in accordance with the child support guidelines.

4. ☐ Medical support is reserved because the:

☐ Respondent now lives in the same household as the children.

☐ Caretaker does not receive FIP or Title XIX medical benefits and has asked that a support obligation not be established at this time.

☐ Other: _____

☐ The Respondent shall provide medical support and take all necessary actions to ensure coverage of the dependents according to chapter 252E. The Respondent shall obtain an employment-related or group health benefit plan for the dependents. However, should such insurance not be or become available, the Unit reserves the right to request that other provisions be made according to chapter 252E at a later date without showing a change in circumstances.

☐ If uncovered medical expenses for the child(ren) exceed \$250.00 per year for one child or \$500.00 per year for two or more children, the obligor shall pay _____ % of the excess cost as provided by the Iowa Supreme Court Guidelines.

☐ The obligor shall pay _____ % of any uncovered medical expenses for the child(ren).

☐ Uncovered medical expenses are reserved because the Respondent now lives in the same household as the children.

☐ Uncovered medical expenses are reserved because the Caretaker does not receive FIP or Title XIX medical benefits and has asked that a support obligation not be established at this time.

The Unit or any caretaker can seek current, accrued, and/or medical support by any legal method without showing a substantial change in circumstances.

5. If support payments are ordered, all payments ordered shall be payable to the COLLECTION SERVICES CENTER, P.O. BOX 9125, DES MOINES, IOWA 50306-9125, AND IN NO OTHER MANNER. Each payment must identify the Respondent, obligee/caretaker, and the following CSC number: #_____. Any payment sent directly to the above named caretaker or the child(ren) by the Respondent is considered a gift and not credited to the support ordered.

6. If support payments are ordered, upon termination of public assistance the Collection Services Center shall pay any current support to the named caretaker, unless payments are redirected to another caretaker or unless there has been an automatic redirection by statute.

_____ is bound by the Notices which are attached and incorporated and shall pay the costs of this action, including:

☐ Service fees

☐ Genetic test costs of \$_____

☐ which shall be paid to Collection Services Center, P.O. Box 9243, Des Moines, Iowa, 50306-9243.

7. The Respondent must attend a parenting class approved by the Department of Human Services. The Respondent must provide proof of attendance to the Unit within 90 days after this order is entered. Failure to provide proof of attendance may result in modification of the support amount. At the Unit's request, the Respondent must also provide proof of ongoing compliance with this requirement.

8. According to section 598.22B, the Respondent, obligee, and any necessary third party shall provide the Unit with written information about the person's identity, social security number, residential and mailing addresses, telephone number, driver's license number, and the name, address, and telephone number of the party's current employer or other source of income and keep the Unit informed of any changes. If a later child support action is started and a diligent but unsuccessful effort is made to locate the party, due process requirements may be met by delivering a written notice to the most recent residential or employer address filed with the Unit.

Ordered this _____ day of _____, _____.

JUDGE OF THE _____ JUDICIAL DISTRICT

Copy to:

NOTICES

1. ☐ The income of the Respondent is subject to immediate income withholding, according to section 252D.8(1). Until the income provider withholds the required amount of support, it is the Respondent's responsibility to ensure payment is made to the Collection Services Center.

☐ Immediate income withholding is not ordered at this time because:

2. The installment payment method does not prevent the Unit from collecting the accrued support and/or any delinquent support by any means provided by law, including, but not limited to, an interception of income tax refunds, attachment of liens, income withholding, and levy of accounts at financial institutions. When payments become delinquent in an amount equal to the payment for one month, according to chapter 252D, the Unit may order the withholding for payment of support set at an amount in accordance with 441 IAC chapter 98, division II, or according to chapter 252I, the Unit may execute an administrative levy on the Respondent's financial institutions.

3. According to section 598.22B, the Respondent, obligee, and any necessary third party shall provide the Unit with written information about the person's identity, social security number, residential and mailing addresses, telephone number, driver's license number, and the name, address, and telephone number of the party's current employer or other source of income and keep the Unit informed of any changes. The Respondent shall also provide the Unit information about health insurance which is available, including health insurance policy information. If a later child support action is started and a diligent but unsuccessful effort is made to locate the party, due process requirements may be met by delivering a written notice to the most recent living or employer address filed with the Unit.

4. According to section 252B.23, if support in arrears is referred to a collection entity, a surcharge may be assessed to the Respondent, and information may be provided to a collection entity for purposes of administering and enforcing the surcharge. The amount of the surcharge is a percentage of the amount in arrears.

¹ ☐ Notice of this child support action was personally served on the Respondent in Iowa and fulfilled all requirements of 252F.3.

☐ The Respondent submitted to Iowa jurisdiction by consent, or by providing the Unit with a document that has the effect of waiving any contest to personal jurisdiction. Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252F.3.

☐ The Respondent lived in Iowa with the child(ren) from approximately _____ through _____. Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252F.3.

☐ The Respondent lived in Iowa from approximately _____ through _____, and provided prenatal expenses or support for the child(ren). Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252F.3.

☐ The Respondent caused the child(ren) to live in Iowa through the following action(s):

Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252F.3.

☐ The Respondent had sexual intercourse in Iowa with the other parent which may have results in the conception of the following child(ren):

<i>Child</i>	<i>Time Period of Possible Conception</i>
_____	_____ through _____
_____	_____ through _____
_____	_____ through _____
_____	_____ through _____
_____	_____ through _____

Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252F.3.

☐ The Respondent claimed to be the other parent either through the declaration of paternity registry maintained by the Iowa Department of Public Health according to section 144.12A, or by completing a paternity affidavit according to section 252A.3A. Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252F.3.

☐ The Respondent has enough minimum contacts with the State of Iowa because:

Notice of this child support action was personally served on the Respondent and fulfilled all requirements of 252F.3.

²☐ A separate action for dissolution of marriage or child support involving the Respondent and the same child(ren) has begun and the action is pending under Docket #_____ in the State of_____, _____ County.

The Court may continue, however, because this action complies with 28 USC section 1738B or chapter 252K

☐ The Court is unaware of any separate action for dissolution of marriage or child support involving the Respondent and these same child(ren), which may have started or is pending in Iowa or another state.

☐ Neither the Respondent nor the caretaker has disclosed, and the Court and the Unit are unaware of, any existing child support orders involving the Respondent as obligor and the named child(ren).

☐ The Court knows of the following support order(s) involving the Respondent as obligor and the named child(ren):

<u>State</u>	<u>County</u>	<u>Docket Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Under 28 USC section 1738B and chapter 252K it is illegal to enter any new support order that would run during the same time period as an existing order for support from another state.

☐ However, no individual contestant to the orders or the child(ren) currently live in any of the states that issued a support order. When this happens, a tribunal with jurisdiction must enter a new support order according to section 252K.207.

☐ However, any order listed above is for current support which has been either suspended or terminated, and/or is for past support for a different time period than the support obligation established in this action. There may be arrears under the existing orders listed above, but they are not at issue in this action.